

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

Ashmeen Modikhan

Debtor.

**AMENDED NOTICE OF MOTION TO
DISMISS AMENDED ADVERSARY
COMPLAINT**

Case No.: 19-45691-jmm
(Chapter 13)

Ashmeen Modikhan

Plaintiff-Debtor

Adversary Proceeding Docket #: 21-01009-jmm

-against-

Darren Aronow, an individual ESQ; Hanin R. Shadood, an individual ESQ. and as an employee of the Chapter 13 Trustee in Dual Capacities; Courtney R. Williams, an individual ESQ; Fay Servicing, LLC, a business entity; Rushmore Loan Management Services, Inc., a business entity; and Marianne DeRosa, an individual ESQ., Chapter 13 Trustee, and an Individual ESQ. capacity. The United States of America and Does 1-100 Inclusive,

Defendants

PLEASE TAKE NOTICE that Defendant Courtney R. Williams, Esq., of Gross Polowy, LLC will move this Court on November 2, 2021 at 10:30 am before the Honorable Jil Mazer- Marino, at the United States Bankruptcy Court, for the Eastern District of New York, 271 Cadman Plaza East-Suite 1595, Brooklyn, NY 11201 for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) made applicable to this proceeding by Rule 7012 of the Federal Rules of Bankruptcy Procedure dismissing the Adversary Proceeding pursuant to the Court Order entered September 10, 2021, and for such other relief as the Court may deem proper.

PPURSUANT THE COURT'S ORDER ENTERED ON SEPTEMBER 10, 2021, ANSWERING PAPERS SHALL BE FILED WITH THE COURT AND ARE TO BE SERVED SO AS TO BE RECEIVED BY COUNSEL NO LATER THAN OCTOBER 26, 2021.

DATED: September 24, 2021
Williamsville, New York

Yours,

/s/ Courtney R Williams
By: _____
Courtney R Williams, Esq.
GROSS POLOWY, LLC
1775 Wehrle Drive, Suite 100
Williamsville, NY 14221
Telephone (716) 204-1700

TO:

Ashmeen Modikhan
94-22 Magnolia Court
Unit 1-B
Ozone Park, NY 11417

Plaintiff

Darren Aronow, Esq.
Aronow Law Firm P.C.
7600 Jericho Turnpike
Suite 115
Woodbury, NY 11797

Defendant

Marianne DeRosa, Chapter 13 Trustee
Office of the Chapter 13 Trustee
100 Jericho Quadrangle, Suite 127
Jericho, NY 11753

Defendant

Steven Amshen
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Attorney for Defendant Hanin Shadood

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Defendant

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Attorney for Defendant Rushmore Loan
Management Services, LLC

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